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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,136	02/22/2002	Ivan W.K. Shum	16553/12	8504

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EXAMINER

GRAY, DAVID M

ART UNIT PAPER NUMBER

2851

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,136

Applicant(s)

SHUM ET AL.

Examiner

David M Gray

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002 and 15 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-23 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 24-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen.
3. Regarding claim 1, the claimed “film clip” is met by film container holding chamber 21. The claimed “outer film cover” is met by the rear cover of film package casing 2. The claimed “inner film cover” is met by the frame around exposure aperture 23.
4. Regarding claim 2, cartridge 4 is a 35mm film cartridge.
5. Regarding claim 3, the film container holding chamber 21 includes a slot for the film to feed to the exposure aperture which is readable on the claimed “film guide.”
6. Regarding claim 4, the claimed “winding housing” is met by film winding chamber 22.
7. Regarding claim 5, there are numerous portions of the Chen device that have a so-called “step configuration” such as the rear cover of film package casing 2.
8. Regarding claim 6, the drawing figures clearly show that the elements 20-23 of Chen are removably contained within the rear cover of film package casing 2 by the tabs on the ends thereof.
9. Regarding claim 7, again it is noted that there are numerous portions of the Chen device that have a so-called “step configuration” such as the rear cover of film package casing 2.

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10. Regarding claims 8-10, the claimed “flare”, “slot” and “rib” are met by the tabs and their corresponding slots shown in the drawings of Chen.

11. Claims 24-29 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by So et al.

12. The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Allowable Subject Matter

13. Claims 11-23 are allowed.

14. The following is a statement of reasons for the indication of allowable subject matter:

15. The prior art does not disclose or suggest “first and second removable covers enclosing a portion of said film clip when said film clip is removed from said film housing” in combination with the remaining elements as claimed in claims 11-15.

16. The prior art does not disclose or suggest “inserting the film clip into the first film cover” and “inserting the second film cover over the film clip” in combination with the remaining method steps as claimed in claims 16-18.

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17. The prior art does not disclose or suggest "attaching the first and second film covers to one another over the film clip" in combination with the remaining method steps as claimed in claims 19-21.

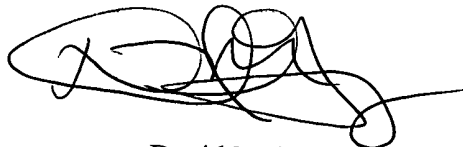
18. The prior art does not disclose or suggest "attaching the first and second film covers to the film clip on opposite sides of the film clop between the film cartridge and the winding housing" in combination with the remaining method steps as claimed in claims 22-23.

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M Gray whose telephone number is 703-308-1698. The examiner can normally be reached on M-T & T-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703-308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.



David M Gray
Primary Examiner
Art Unit 2851

March 7, 2003